



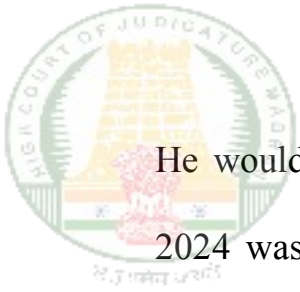
Crl.O.P.No.28837 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(4), 296(b), 115(2) and 351(2) of BNS r/w Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.632 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, as per the defacto complainant one Nagammal, the petitioner has assaulted and abused the defacto complainant by teasing about her daughter's marriage and thereby harassed the defacto complainant. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He also further submitted that the petitioner and the defacto complainant are relatives and due to a wordy quarrel between them, the defacto complainant and her husband had attacked the petitioner with stones, thereby the petitioner had sustained injury.



He would further submit that there is a case in counter in Crime No.642 of 2024 was registered against the defacto complainant and her family members and in order to counter blast the same, a false complaint has been lodged by the defact complainant. He would further submit that the petitioner is ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that due to previous enmity, a wordy quarrel arouse, thereby the petitioner has abused and assaulted the defacto complainant. He would further submit that a case in counter was also registered.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned District Munsif cum Judicial Magistrate, Gummudipoondi** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the **Chengalpattu Town Police Station at 10:30 a.m., for a period of two weeks and thereafter, before the respondent police every Saturday at 10:30 a.m., until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during



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Crl.O.P.No.28837 of 20



investigation or trial.

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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

19.11.2024

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